

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

| | | |
|--|---|--|
| -----X | | |
| SEANA CROMITIE, on behalf of herself and all | : | |
| others similarly situated, | : | |
| | : | |
| Plaintiff, | : | |
| | : | |
| | : | |
| v. | : | |
| | : | |
| NEMS, INC. a/k/a XTREME DISCOUNT | : | |
| MATTRESS, INC., | : | |
| | : | |
| Defendant. | : | |
| | : | |
| -----X | | |

Civil Action Number:
1:22-cv-06959-JLR-BCM

NOTICE OF VOLUNTARY DISMISSAL

Whereas Defendant NEMS, INC. a/k/a XTREME DISCOUNT MATTRESS, INC. has not filed an Answer or a Motion for Summary Judgment in this action, the Plaintiff hereby voluntarily dismisses this action against Defendant NEMS, INC. a/k/a XTREME DISCOUNT MATTRESS, INC., and discontinues her claims in the above-captioned matter, without prejudice, pursuant to Rule 41(a)(1)(A)(i) of the Federal Rules of Civil Procedure.

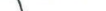
Dated: October 25, 2022

/s/ Yitzchak Zelman
Yitzchak Zelman, Esq. (YZ5857)
MARCUS & ZELMAN, P.C.
701 Cookman Avenue, Suite 300
Asbury Park, New Jersey 07712
Phone: (732) 695-3282
Attorney for the Plaintiff

This case is hereby voluntarily DISMISSED without prejudice pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i). The Clerk of Court is respectfully directed to close this case.

Dated: October 26, 2022
New York, New York

SQ_ORDERED


JENNIFER L. ROCHON
United States District Judge